

# *The Village of Northfield*

## REGULAR COUNCIL MEETING AGENDA

February 27, 2019 7:30pm

### **Pledge of Allegiance**

### **Call to Order; Roll Call; Approval of Minutes January 23, 2019 and February 13, 2019**

### **Presentation of Petitions, Memorials and Remonstrances**

### **Reports of Municipal Officers:**

Jesse J. Nehez, Mayor  
Tricia Ingrassia, Finance Director  
Richard Wasosky, Engineer  
Brad Bryan, Law Director

### **Department Heads:**

John Zolcus, Police Chief  
Jason Buss, Fire Chief  
Jason Walters, Service/Building Superintendent

### **Reports of Municipal Boards and Commissions:**

Alan Hipps, Planning Commission  
Mayor Nehez, Recreation Board

### **Reports of Standing Committees:**

Nicholas Magistrelli, Finance  
Jennifer Domzalski, Roads and Public Works  
Keith Czerr, Health and Welfare  
Gary Vojtush, Wages and Working Conditions  
Renell Noack, Fire and Safety  
Alan Hipps, Buildings and Grounds

### **Legislation:**

**2019-05** – An Emergency Ordinance Amending Chapter 1280 of the Codified Ordinances Relating to Signs (Third Reading)

**2019-11** – An Resolution Authorizing the Village Of Northfield to Enter into the Northeast Ohio Regional Sewer District Stormwater Management Program Community Cost Share Program Agreement for the Houghton Road Reconstruction and State Route 8 Traffic Signals Improvement Project and Authorizing Mayor Jesse J. Nehez, Chief Executive Officer to Submit the Authorization and Execute All Contracts with the Northeast Ohio Regional Sewer District and Declaring an Emergency (First Reading)

**2019-12** – An Emergency Resolution Setting Forth the Appropriations for the Fiscal Year 2019 and Submitting the Same to the County Fiscal Officer (First Reading)



**VILLAGE OF NORTHFIELD ORDINANCE NO. 2019-05**  
**AN EMERGENCY ORDINANCE AMENDING CHAPTER 1280 OF THE CODIFIED**  
**ORDINANCES RELATING TO SIGNS**

WHEREAS, due to a decision issued by the United States Supreme Court, it is necessary for the Village, like other municipalities, to update its sign ordinance to make its regulations content neutral with respect to the type of message on the sign; and

WHEREAS, in connection with that process, the Mayor and Council decided to engage a planning consultant to assist the Village with a comprehensive review and update of the entire Village Sign Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Northfield, County of Summit, and State of Ohio:

SECTION 1. That the Council of the Village of Northfield hereby and herein amends Chapter 1280 of its Codified Ordinances relating to Signs, as indicated in the attachment hereto.

SECTION 2. Upon passage of this Ordinance, the previous version of Chapter 1280 of the Codified Ordinances shall be repealed and replaced by the within amended version adopted by this legislation.

SECTION 3. That all formal actions of this Council concerning and relating to the deliberation and adoption of this Ordinance were taken in an open meeting of this Council or any of its legal committees and/or were in compliance with all legal requirements.

SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the public peace, health, and welfare of the residents of the Village of Northfield, for the reason that the Village desires the amended ordinance to be in force and effect as soon as possible, and therefore, this Ordinance shall take immediate effect upon its signature by the Mayor, or upon the expiration of time within which it may be disapproved by the Mayor, or upon its passage after its disapproval by the Mayor, as the case may be, pursuant to Village of Northfield Charter Section 4.11.

IN WITNESS WHEREOF, we have hereunto set our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Pres. Pro-Tem of Council

\_\_\_\_\_  
Jesse J. Nehez, Mayor

Approved as to Legal Form.

\_\_\_\_\_  
Bradric T. Bryan, Director of Law

I, Tricia Ingrassia, Clerk of Council of the Village of Northfield, Summit County, Ohio, do hereby certify that the foregoing Resolution was duly and regularly passed by Council at a meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Tricia Ingrassia, Clerk of Council

## CHAPTER 1280 Signs

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### **1280.01 PURPOSES.**

The purpose of this chapter is to provide for the type, design, location and size of signs and to regulate their installation and maintenance, in order to:

- (a) Promote and maintain attractive and high-quality Residential Districts and promote attractive public facilities;
- (b) Provide for reasonable and appropriate methods for identifying establishments in business and industrial districts by relating the size, type and design of signs to the size, type and design of the business and industrial establishments;
- (c) Promote the public health, safety and welfare by avoiding conflicts between signs and traffic control devices, avoiding traffic hazards and reducing visual distractions and obstructions;
- (d) Control the design of signs so that their appearance will be aesthetically harmonious with an overall urban design for the area by:
  - 1. Assuring the appropriate design, architectural scale and placement of signs;
  - 2. Assuring that signs are placed in an orderly and attractive manner on the building or the site;
  - 3. Assuring that the amount of information on the sign is legible and achieves the intended purpose.
- (e) Promote the most desirable developments and economic activity in accordance with the objectives of the Municipality; and
- (f) Protect property values.

### **1280.02 COMPLIANCE; APPLICATION OF CHAPTER.**

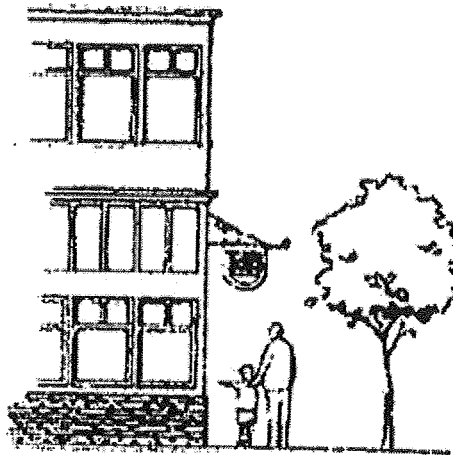
- (a) Signs shall be designed, erected, altered, reconstructed, moved and maintained, in whole or in part, in accordance with the provisions of this chapter.
- (b) The construction, erection, safety and maintenance of all signs shall be in accordance with this chapter, but the provisions of this chapter shall not amend or in any way interfere with the codes, rules or regulations governing traffic signs within the Municipality.
- (c) The display of official public notices, or the flag, emblem or insignia of an official governmental body, shall not be governed by the provisions of this chapter.

## 1280.03 DEFINITIONS

- (a) "A-Frame or Sandwich Board Sign" - A sign made of wood, cardboard, plastic, or other lightweight and rigid material having the capability to stand on its own rigid supporting frame in the form of a triangle or an inverted V and being portable and movable. Also known as a sandwich board sign.



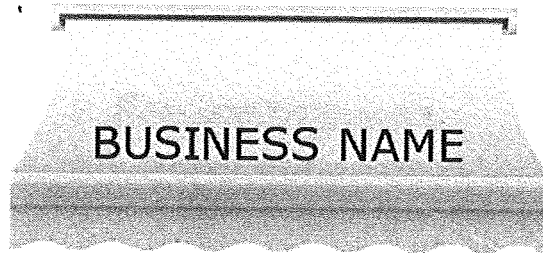
- (b) "Awning sign" means any hood or awning made of cloth or with metal frames attached to a building and supported by the ground or sidewalk.
- (c) "Blade or Projecting Sign" means a sign that is attached to the wall of a building and is perpendicular to the flow of either pedestrian or vehicular



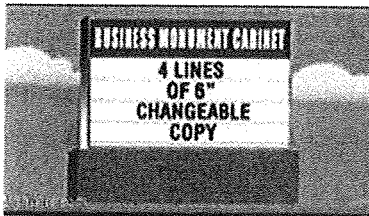
traffic.

- (d) "Bulletin board" means an announcement sign which directs attention to and is located on the lot of a public or semipublic institution.

- (e) "Canopy sign" means a sign attached to the soffit or fascia of a canopy, covered entrance or walkway, or to a permanent awning or marquee.

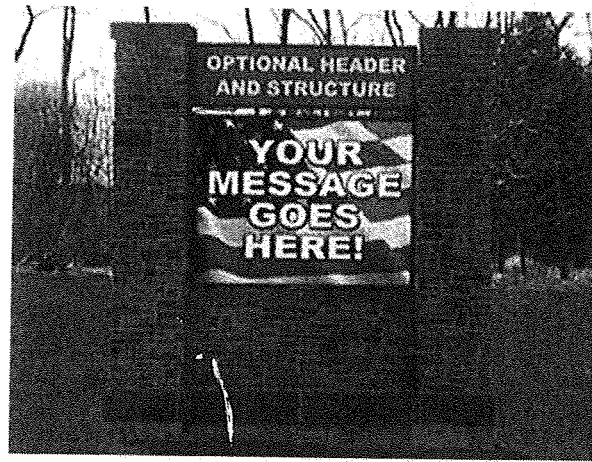


- (f) "Changeable Copy Sign" - means a sign designed to display multiple or changing messages whether by manual, mechanical or electronic means. Such signs are characterized by changeable letters, symbols or numerals that are not permanently affixed to the structure, framing or background allowing the letters, characters, or graphics to be modified from time to time manually or by electronic or mechanical devices. Electronically changed signs may include either electronic message boards or digital displays and are defined separately.



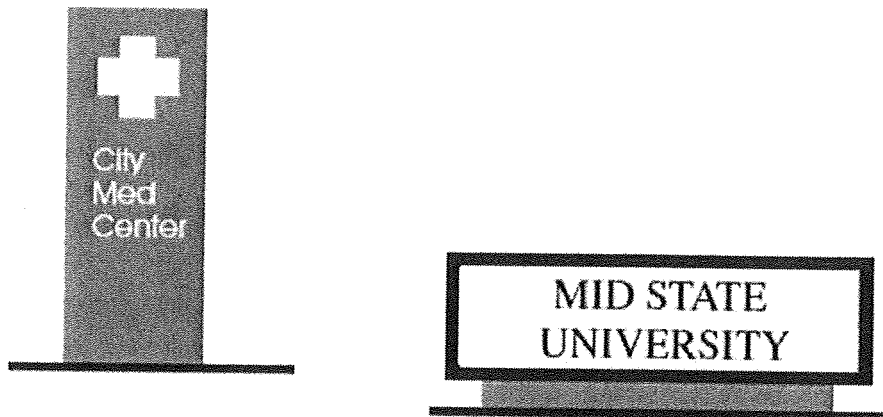
- (g) "Dilapidation" Dilapidation includes any sign where elements of the sign area or background have portions of the finished material missing, broken, peeling or illegible; where the structural support is visibly bent, broken, dented, rusted, peeling, corroded, or loose; or where the sign or its elements are not in compliance with the adopted electrical code and/or the Building and Housing Code.
- (h) "Directional" A sign indicating a direction or a location to which traffic, whether pedestrian or vehicular, is requested to move within the parcel for the purpose of traffic control and public safety.
- (i) "Electronic Sign" Is a changeable copy sign for which the text, letters, numbers, pictures, or symbols forming the informational portion of the sign consists of flashing, intermittent, or moving lights, including any LED screen or any other type of video display. This definition does not include signs that

have internal or indirect illumination that is kept stationary or constant in intensity and color at all times when such sign is in use or any government sign located within the right-of-way that functions as a traffic-control device and is described and identified in the Ohio Manual of Uniform Traffic-Control



Devices.

- (j) “Free-standing ground sign” means a stationary sign which is not affixed to a building or supported by a pole or poles. It may be supported from the ground by means of a free-standing wall, monument, or other structural support system.

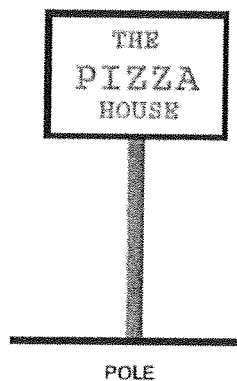


- (k) Marquee sign” means a sign attached to the soffit or fascia of a marquee, to a roof over an entrance or to a permanent awning.

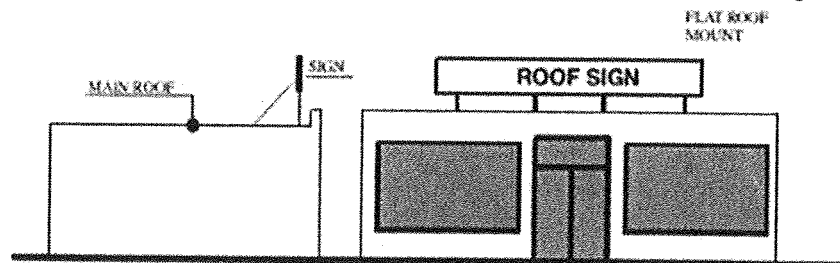
Marquee Sign



- (l) "Permanent Sign" - means a sign permanently affixed or attached to the ground or a structure and which cannot be removed without special handling, such as removing or dismantling the foundation or a portion thereof, fasteners, adhesives or similar materials providing support or structural integrity for the sign.
- (m) "Pole sign" means a stationary two-face sign erected on a metal pole or poles that is wholly independent of any building for support. The faces shall be back-to-back and shall not be more than a foot apart.



- (n) "Roof Sign" means a sign placed, inscribed or supported upon a roof or upon any structure which extends above the roof line of any building.



- (o) "Sign" means any display, figure, painting, drawing, placard, poster or other



device, visible from a public way, which is designed, intended or used to convey a message, advertise, inform or direct attention to a person, institution, organization, activity, place, object or product. It may be a structure or a part thereof or it may be painted on or attached directly or indirectly to a structure. It may be painted on stone or be formed out of shrubbery.

- (p) "Sign Area" For a Freestanding or Pole sign is the space enclosed within the extreme edges of the sign for each sign face, not including the supporting structure. For a Wall or Panel sign, where attached directly to a building wall or surface, the space within the outline enclosing all the characters of the words, numbers, or design.
- (q) "Sign face" The entire display surface area of a sign upon, against, or through which copy is placed.
- (r) "Temporary" A banner, pennant, poster, or advertising display constructed of paper, cloth, canvas, plastic sheet, cardboard, wallboard, plywood, or other like materials that appears to be intended or is determined by the Building and Zoning Inspector to be displayed for a limited period of time.
- (s) "Wall or panel sign" means a sign integral with the exterior face of an exterior wall of a building, or attached to the wall or parallel with the wall and projecting not more than twelve inches therefrom.
- (t) "Window sign" means a sign painted, attached or affixed to the interior or exterior surface of a window or door of a building.

#### **1280.04 PROHIBITED SIGNS**

Signs shall be permitted in each use district and regulated as to type, size and location as provided in this chapter. Unless otherwise specifically permitted herein, the following signs are prohibited in all districts, except the C-1 Industrial District:

- (a) Pennants, ribbons, streamers, strings of light bulbs, spinners, feathered flag banner or sign or other similar devices;
- (b) Mobile, portable, or wheeled signs;
- (c) Signs placed on parked vehicles or trailers for the purpose of advertising a product or business located on the same or adjacent property, excepting an identification sign which is affixed to a vehicle regularly operated in the pursuance of day-to-day business or activity of an enterprise;
- (d) Roof signs;
- (e) Inflatable images;
- (f) Signs containing flashing, moving, intermittent, or running lights or which

imitate traffic control devices provided, however, that changeable copy signs shall be permitted as regulated by this ordinance;

- (g) Signs which employ any part or element which revolves, rotates, whirls, spins, flutters or otherwise makes use of motion to attract attention;
- (h) Beacons or searchlights;
- (i) High intensity strobe lights;
- (j) Signs which hang less than eight and one-half (8.5) feet above a pedestrian walkway or less than fourteen (14) feet above a vehicular path;
- (k) Window signs except as specifically authorized herein; and
- (l) Window frame lighting: light emitting diode or other types of bar, string, or strand lighting, whether white or another color, within or directly outside of window frames of their buildings.
- (m) Neon unless used in window signs or as approved by the Planning Commission.

#### **1280.05 PERMIT REQUIRED.**

- (a) A zoning permit is required prior to the display, erection or alteration of any sign except as otherwise provided in this Chapter. Repairs or maintenance not involving structural or electrical changes may be permitted without obtaining a permit.
- (b) Routine maintenance or changing parts of signs shall not be considered an alteration of a sign, provided that the maintenance or change of parts does not alter the type of installation, surface area, heights, or otherwise make the sign non-conforming.
- (c) Applications for sign permits shall be made upon forms provided by the Village Building and Zoning Inspector.
- (d) Upon determining that a sign application is complete and accurate, the Building and Zoning Inspector shall approve the application or, if required by this Chapter, submit the sign application to the Planning Commission for approval.
- (e) If Planning Commission review is required, the Building and Zoning Inspector shall not issue the permit until receiving the action of the Planning Commission which may be to recommend approval, approval with modifications, or denial of the application.
- (f) Any sign application which requires a variance shall first be submitted to the Planning Commission for consideration.
- (g) No signs except highway safety signs shall extend into any right-of-way.

#### **1280.06 VALIDITY OF PERMIT.**

If the work authorized under a sign permit has not been completed within one (1) year after the date of issuance, the permit shall become null and void.

#### **1280.07 FEES.**

Fees for sign permits shall be charged in accordance with the schedule of sign fees as established by Section 1262.05 (f) (4) and periodically revised by Council.

#### **1280.08 PERMIT REVOCABLE AT ANY TIME.**

All rights and privileges acquired under the provisions of this chapter or any amendment hereto, are mere licenses that are revocable at any time by Council.

#### **1280.09 REVOCATION.**

The Building and Zoning Inspector is hereby authorized to revoke any permit issued by him upon failure of the holder thereof to comply with any provisions of this chapter.

#### **1280.10 FAILURE TO OBTAIN A PERMIT.**

Any person who erects, alters or moves a permanent sign after the effective date of this Chapter without obtaining a permit as required by this section, shall be subject to a penalty and or remedy as provided by Section 1280.99.

#### **1280.11 PERMITS NOT REQUIRED.**

Signs which do not require a zoning permit include:

- (a) Official notices or advertisements posted or displayed by or under the direction of any public or court officer in the performance of official or directed duties, provided, that all such signs must be removed no more than ten (10) days after their purpose has been accomplished.
- (b) Any sign wholly within the confines of a building and oriented so as to be out of view from outside the building.
- (c) One sign per entrance door in a non-residential district which shall be limited to two (2) square feet in size and located within five (5) square feet of the entrance door.

- (d) Signs located within the grounds of public facilities such as baseball fields, stadiums, community centers, and other public facilities placed by a governmental entity.
- (e) Any sign not expressly requiring a permit under this chapter.
- (f) Sign faces that are visible from the public right of way, but are not intended for public view and are not discernible in message due to the small size of the sign's text, copy, or graphics as viewed from the public Right of Way. Such signs shall not exceed twelve (12) square feet in area and shall not exceed 6 feet in height.
- (g) Signs that are an integral part of the original construction of vending or similar machines, fuel pumps, or similar devices;
- (h) Signs that are constructed of paper, cloth, or similar expendable material, attached to the inside of a window, do not exceed 8 square feet in sign face area, and do not cover more than 25% of the area of the window pane; and
- (i) Temporary Ground Signs as regulated in Residential districts set forth in Sections 1280.14 and 1280.15.

## **1280.12 MEASUREMENT DETERMINATIONS.**

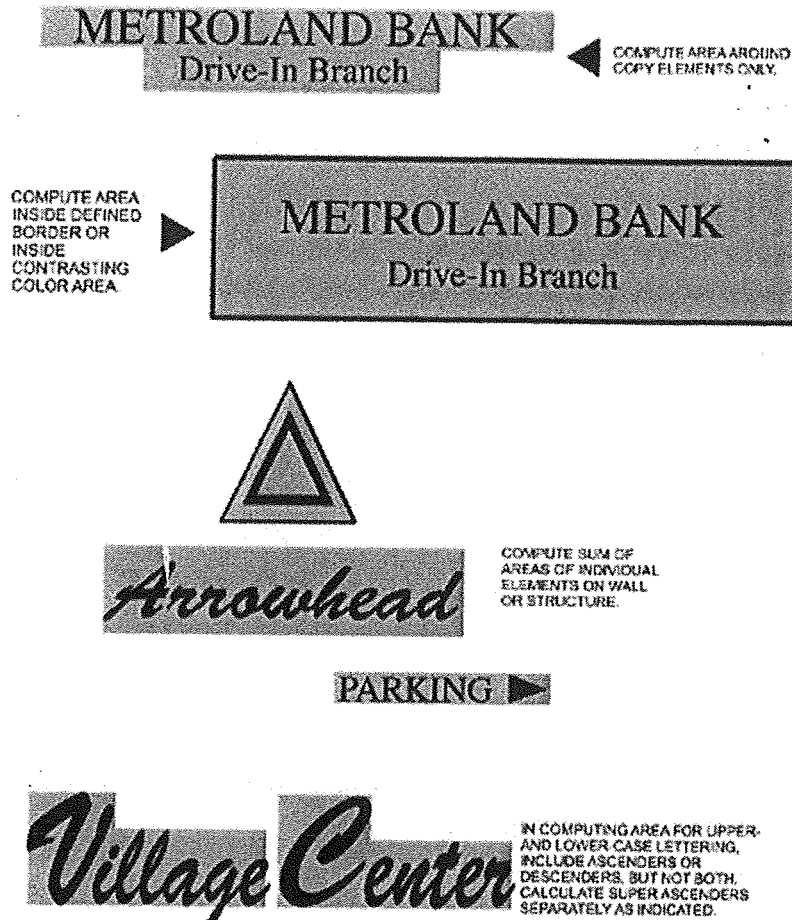
The following shall be the basis for determining sign area, sign height, and building or tenant frontage.

### **(a) Sign Area and Dimensions.**

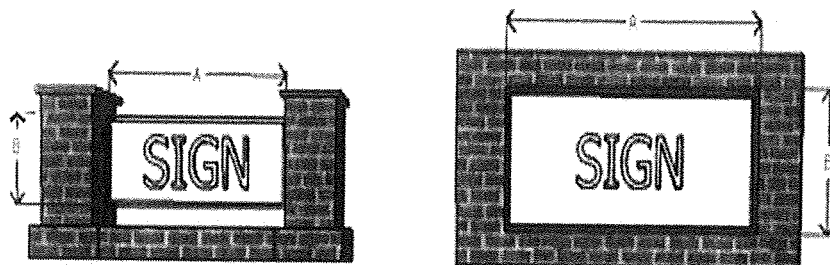
Sign area shall include the entire face of the sign from edge to edge, including any frame or structure around the perimeter of the sign, provided however, that a proportional framing or structure around the display area may be excluded by the Planning Commission.

- (1) For a sign comprised of individual letters, figures or elements on a wall or similar surface of a building or structure, or an irregular shaped free-standing sign, the area of the sign shall be the area of not more than three (3) adjacent regular geometric shapes that encompasses the perimeter of all the elements in the display. Regular geometric shapes are squares, rectangles, circles, ovals, triangles, and trapezoids.
- (2) When separate elements are organized to form a single sign, but the elements are separated by open space, the area of the sign shall include the space between the elements.

# SIGN AREA—COMPUTATION METHODOLOGY



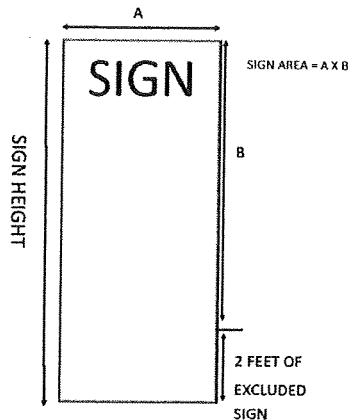
(3) For free-standing signs:



- A. The sign area shall be computed by the measurement of one (1) of the faces when two (2) identical display faces are joined, are parallel or are within 30 degrees of being parallel to each other and are at no point

separated by a distance that exceeds two feet.

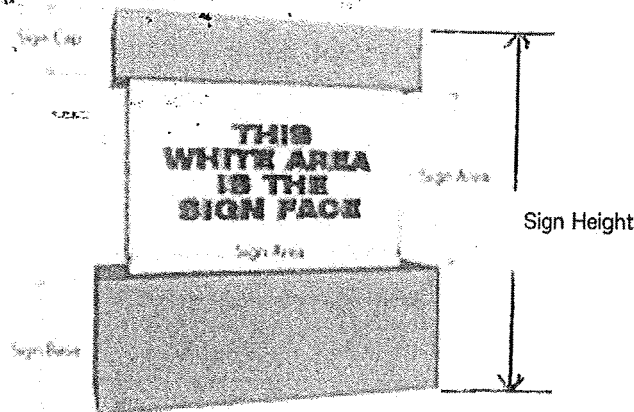
- B. The portion of a solid sign base, up to a maximum height of two (2) feet, may be excluded from the calculated sign area provided such base is adequately screened by landscaping as determined by the Planning Commission.



- (4) Air between a projecting sign and the wall to which it is attached and detached lighting fixtures and associated brackets shall not be included in the calculation of sign area.

**(b) Sign Height.**

The height of a free-standing sign shall be measured from the average natural grade at the base of the sign or support structure to the tallest element of the sign or its support structure. A free-standing sign on a man-made base, including a graded earth mound, shall be measured from the average site grade prior to any grade change in the area of a sign.



**(c) Building Frontage and Building Unit.**

For the purposes of these sign regulations, the length of the building wall that faces a public street other than a limited access highway or that contains a public entrance to the uses therein shall be considered the building frontage.

- (1) The building frontage shall be measured along such building wall between the exterior faces of the exterior side walls.
- (2) In the case of an irregular wall surface, a single straight line extended along such wall surface shall be used to measure the length.
- (3) A building is considered to have two frontages whenever the lot fronts on two or more streets or the building has a public entrance on a wall other than the wall that faces the street. The property owner shall determine which wall shall be the primary building frontage and which wall shall be the secondary building frontage. Only one outside wall of any business shall be considered its primary frontage and only one additional wall considered its secondary frontage.
- (4) For multi-occupant buildings, the portion of a building that is owned or leased by a single occupant shall be considered a building unit. The building frontage for a building unit shall be measured from the centerline of the party walls defining the building unit.

**1280.13 GENERAL PROVISIONS.**

- (a) All signs shall be of substantial construction so as to withstand weather conditions, such as rain, snow, wind, and freezing and thawing, without deterioration of the sign or its structure. Cloth, paper, or any other temporary materials shall not be permitted on permanent signs.

- (b) All signs shall be constructed, erected and maintained in accordance with the Village Building and Housing Code.
- (c) All signs, including temporary signs, shall at all times be maintained in good condition and repair at all times. Upon determination that a sign is not being maintained, is in poor condition or repair, or is unsafe, the Building and Zoning Inspector or his designated agent may order such sign to be brought into compliance or removed within a specified time period. Should the property owner fail to bring the sign into compliance as directed, the Building and Zoning Inspector may remove (or cause to be removed) or maintain such sign at the expense of the person, firm or corporation who erected the sign or on whose premises it was erected, affixed or attached. Each such person, firm or corporation shall be individually and separately liable for the expense incurred in the removal of the sign. The Building and Zoning Inspector may also institute an injunction, mandamus, abatement, or other appropriate action or proceeding to prevent, enjoin, abate, or remove such violation.
- (d) Illuminated signs are permitted pursuant to the following regulations:
  - (1) Signs may be internally illuminated with LED's or similar technology, provided that the sign shall be factory set so that the luminance of the sign shall not exceed a maximum of three (3) foot candles measured ten (10) feet from the sign's face at maximum brightness. Internally illuminated signs shall be equipped with a reduced intensity nighttime setting device activated by photocell or timer.
  - (2) External illumination of signs shall not be of excessive brightness and shall be designed and shielded so as to prevent glare and minimize light trespass onto adjacent properties and to prevent view of the light source from any adjoining residential property and/or vehicles traveling on public rights-of-way. In no instance shall the intensity of the light exceed twenty (20) foot candles at any point on the sign face.
  - (3) Signs may use back lighting or halo lighting subject to the approval of the Planning Commission.
  - (4) No sign shall be illuminated between the hours of 2:30 a.m. and 5:00 a.m., unless the activity displaying the sign is open for business during those hours. The Building and Zoning Inspector is authorized to grant an exception from the provisions of this section to any activity in which illumination of signs during the hours otherwise proscribed is necessary or desirable for the security and safety of the activity or for property in the custody of the activity.
  - (5) Electronic Message signs. Multiple message and variable message signs which are changed electronically shall conform to the following standards:



- A. Electronic Message signs shall only be permitted in the B-1 Retail Business District, B-2 Highway Business District, C-1 Industrial District and C-2 Light Industrial District.
  - B. Each message or copy shall remain fixed for at least ten (10) seconds. Messages shall not flash, or include animation, or emit intermittent light.
  - C. Changes to messages, copy, or images shall be accomplished in not more than three (3) seconds.
  - D. Each such sign must be capable of regulating the digital display intensity, and the light intensity level of the display must automatically adjust to natural ambient light conditions.
  - E. No such sign shall be of such intensity as to create a distraction or nuisance for motorists.
  - F. Displays shall not emulate traffic control devices.
  - G. Such signs shall contain a default design that will freeze the sign in one position or cause it to go dark if a malfunction occurs.
  - H. The entire message shall change at once, without scrolling, animation, flashing, blinking or other movement or noise.
  - I. The changeable copy portion of any free-standing ground sign, wall sign or pole sign shall not exceed eighty percent (80%) of the total area of the sign.
- (6) Temporary signs shall not be illuminated.
  - (e) Signs not visible from off the premises are exempt from these regulations.
  - (f) All signs shall be erected entirely on private property with no part of said sign extending over the public street or right of way.

#### **1280.14 SIGNS PERMITTED IN R-1 RESIDENTIAL DISTRICT**

- (a) The following sign regulations are established for residential uses in the R-1 District. No permit shall be required for the following signs:
  - (1) Permanent Signs
    - A. One permanent free-standing sign not more than two (2) square feet in area nor four (4) feet in height.
    - B. Two permanent free-standing signs, neither of which shall be more than one (1) square foot in area nor three (3) feet in height.
  - (2) Temporary Signs.
    - A. A total of 12 square feet of temporary signs not more than four (4) feet in height. No single sign shall be larger than six (6) square feet. The

total number of signs is not limited provided the signs are in compliance with the maximum amount of area permitted.

- B. One temporary free-standing sign not exceeding thirty-two (32) square feet in area nor six (6) feet in height may be erected during active construction of a residential subdivision development, provided that no such sign shall be displayed for longer than two (2) years.

(3) No sign permitted by this section shall be illuminated.

(4) No sign shall be erected closer than fifteen (15) feet from the pavement of a street or within six (6) feet of any property line.

- (b) The following sign regulations are established for non-residential uses in the R-1 District. Permits shall be required for the following signs:

(1) Permanent Signs

A. Freestanding Signs

- 1. One permanent free-standing sign not more than twenty (20) square feet in area nor six (6) feet in height.
- 2. Two permanent free-standing signs, neither of which shall be more than one (1) square foot in area nor three (3) feet in height.
- 3. Two (2) Directional signs not more than three (3) square feet in area nor three (3) feet in height each.

B. Wall Signs

- 1. One per street frontage not to exceed forty (40) square feet in area.

(2) Temporary Signs

A. One temporary wall banner not to exceed thirty-two (32) square feet may be displayed for no longer than 30 consecutive days. No more than 4 temporary wall banners may be displayed in any one year.

B. A total of twelve (12) square feet of temporary freestanding signs not more than four (4) feet in height. No single sign shall be larger than six (6) square feet. The total number of signs is not limited provided the signs are in compliance with the maximum amount of area permitted.

(3) No sign shall be erected closer than fifteen (15) feet from the street right of way line or within six (6) feet of any property line. Signs shall not obstruct the visibility at street corners.

(4) Permanent signs permitted by this section may be externally illuminated provided the external illumination of the sign shall not be of excessive brightness and shall be designed and shielded so as to prevent glare and minimize light trespass onto adjacent properties and to prevent view of the

light source from any adjoining residential property and/or vehicles traveling on public rights-of-way.

## **1280.15 SIGNS PERMITTED IN R-2 AND R-3 RESIDENTIAL DISTRICTS**

- (a) The following sign regulations are established for residential uses in the R-2 Multiple Family and R-3 Townhouse Districts. Permits shall be required for the following signs:

(1) Permanent Signs

A. Freestanding Signs

1. One (1) permanent free-standing sign not greater than twenty-four (24) square feet in area nor six (6) feet in height shall be permitted at each entrance to a Multiple Family or townhouse development.
2. Two permanent free-standing signs, neither of which shall be more than one (1) square foot in area nor three (3) feet in height.
3. Two (2) Directional signs not more than three (3) square feet in area nor three (3) feet in height each.

B. Wall Signs

1. One per street frontage not to exceed forty (40) square feet in area.

(2) Temporary Signs

- A. A total of 12 square feet of temporary signs not more than four (4) feet in height. No single sign shall be larger than six (6) square feet. The total number of signs is not limited provided the signs are in compliance with the maximum amount of area permitted.
- B. One temporary free-standing sign not exceeding thirty-two (32) square feet in area nor six (6) feet in height may be erected during active construction of a residential subdivision development, provided that no such sign shall be displayed for longer than two (2) years.

- (3) Permanent signs permitted by this section may be externally illuminated provided the external illumination of the sign shall not be of excessive brightness and shall be designed and shielded so as to prevent glare and minimize light trespass onto adjacent properties and to prevent view of the light source from any adjoining residential property and/or vehicles traveling on public rights-of-way.

- (4) No sign shall be erected closer than fifteen (15) feet from the street right of way line or within six (6) feet of any property line. Signs shall not obstruct the visibility at street corners.
- (b) The following sign regulations are established for non-residential uses in the R-2 Multiple Family and R-3 Townhouse Districts:
  - (1) Permanent Signs
    - A. Freestanding Signs
      - 1. One permanent free-standing sign not more than twenty (20) square feet in area nor six (6) feet in height.
      - 2. Two permanent free-standing signs, neither of which shall be more than one (1) square foot in area nor three (3) feet in height.
      - 3. Two (2) Directional signs not more than three (3) square feet in area nor three (3) feet in height each.
    - B. Wall Signs
      - 1. One per street frontage not to exceed forty (40) square feet in area.
  - (2) Temporary Signs
    - A. One temporary wall banner not to exceed thirty-two (32) square feet may be displayed for no longer than 30 consecutive days. No more than 4 temporary wall banners may be displayed in any one year.
    - B. A total of twelve (12) square feet of temporary freestanding signs not more than four (4) feet in height. No single sign shall be larger than six (6) square feet. The total number of signs is not limited provided the signs are in compliance with the maximum amount of area permitted.
  - (3) No sign shall be erected closer than fifteen (15) feet from the street right of way line or within six (6) feet of any property line. Signs shall not obstruct the visibility at street corners.
  - (4) Permanent Signs permitted by this section may be externally illuminated provided the external illumination of the sign shall not be of excessive brightness and shall be designed and shielded so as to prevent glare and minimize light trespass onto adjacent properties and to prevent view of the light source from any adjoining residential property and/or vehicles traveling on public rights-of-way.

## **1280.16 SIGNS PERMITTED IN THE B-1 RETAIL BUSINESS DISTRICT**

(a) The following sign regulations are established for uses in the B-1 Retail Business District:

- (1) Area of Signage. The total area of all permanent signs for each use, building, or land under common ownership or control shall not exceed three (3) square feet for each lineal foot of the building wall or facade which faces the principal street or contains the main entrance.

(2) Permanent Signs

A. Freestanding

1. Each building is permitted one pole sign. Such sign shall not exceed sixteen (16) feet in height, and the lowest horizontal projecting feature of the sign shall not be less than eight and one-half (8.5) feet above grade. The pole sign shall not exceed forty (40) square feet in area. Signs shall not be located closer than five (5) feet to a front or side property line.
2. Properties that are at least 100 feet in width and contain a building that is set back at least twenty-five (25) feet from the street right of way line may install a ground sign. Such ground sign shall be set back a minimum of five (5) from the street right of way line and shall not exceed eight (8) feet in height. Ground signs shall not exceed forty (40) square feet in area. The ground sign shall be in lieu of a pole sign.
3. Multi-tenant buildings that contain over 40,000 square feet under common ownership and control, having shared parking and access, shall be permitted one (1) permanent free-standing sign, provided that such sign shall not be more than sixty-four (64) square feet in area nor twenty (20) feet in height. Signs shall not be located closer than five (5) feet to a front or side property line.
4. Properties that have multiple freestanding buildings on the same parcel and have a shared entrance and exit shall be permitted one pole or ground sign for each building, provided such building is a minimum of 2,500 square feet in gross floor area. Each sign shall be in conformance with the requirements of this section.
5. Signs in B-1 District may be illuminated only in conformance with Section 1280.13(d).

B. Wall Signs

1. The maximum sign area for a wall sign shall be two (2) square feet per one (1) linear foot of store front.
2. Buildings with frontage on two or more public streets shall be

permitted an additional sign on each secondary frontage provided the sign shall not exceed twenty-five percent (25%) of the area of the sign permitted on the primary frontage. In no case shall the area of the signs exceed the total amount of signage permitted on the site.

3. No more than one (1) wall sign shall be permitted per building frontage or individual tenant space.

4. Wall signs shall be affixed flat to the wall of the building and not project more than one (1) foot.

5. Signs in the B-1 District may be illuminated only in conformance with Section 1280.13(d).

#### C. Marquee signs

1. Marquee signs shall not exceed an area equal to twenty-five percent (25%) of the face of the marquee on which the sign is affixed.

2. Marquee signs are subject to the same size regulations for wall signs. Where a marquee and wall sign are used in conjunction with each other, the total square footage of both signs must be added together to determine the total square footage permitted. Such signs shall also conform to the requirements of 1280.16 (a)(2)(B)(1).

#### D. Blade or Projecting Signs

1. Businesses may have a blade or projecting sign located under a canopy or eave, with a maximum area of ten (10) square feet. The lower edge of such signs must be a minimum of eight feet above any underlying area accessible to pedestrians.

2. Projecting signs may be used in lieu of a pole or ground sign for identification and shall project no more than two (2) feet perpendicular from the wall and not more than three (3) feet vertically above the wall of the building and shall not be more than forty (40) square feet in area.

#### E. Canopy or Awning Signs

1. Canopy or awning signs are subject to the same size regulations for wall signs and shall not exceed an area equal to twenty-five percent (25%) of the canopy or awning.

2. If a canopy or awning and wall sign are used in conjunction with each other, the total square footage of both signs must be added together to determine the total square footage permitted. Such signs shall also conform to requirements of 1280.16 (a)(2)(B)(1).

F. Directional Signs

1. No more than two (2) permanent free-standing directional signs not exceeding three (3) square feet in area and located not more than three (3) feet above grade shall be permitted at each access drive to the site.

(3) Temporary Signs

- A. Temporary signs may be displayed for no longer than 30 consecutive days. No more than 4 temporary signs may be displayed in any one year. In multi-tenant buildings or properties with multiple buildings, the property owner shall be a joint applicant for all permits for each temporary sign.
- B. Each building is permitted one temporary wall banner not to exceed thirty-two (32) square feet.
- C. Each building is permitted one temporary free-standing sign not more than thirty-two (32) square feet in area nor six (6) feet in height.

(4) Window Signs

- A. The total area of all window signs, inclusive of both permanent and temporary, shall not exceed twenty-five (25%) percent of the area of a single window.
- B. Illuminated signs, which may include neon, shall not be greater than ten (10%) percent of a single window.
- C. For the purposes of this section, a single window shall include the entire area of glass with a separation between the glass panes less than four (4") inches.

(5) "A" Frame or Sandwich Board Signs

- A. "A" Frame or Sandwich Board signs shall be limited to two (2) feet in width and three (3) feet in height.
- B. Businesses are permitted one (1) "A" Frame or Sandwich Board sign which must be located on the property on which the business is located.
- C. All "A" Frame or Sandwich Board signs must be removed at the end of each business day and may only be displayed during the posted hours the business is open.
- D. "A" Frame or Sandwich Board signs shall not be located on the public sidewalk or within the right-of-way.
- E. Such signs shall be located not more than thirty-five (35) feet from the

entrance to the business and shall not block sight visibility from a public street or driveway.

- F. Signs located on private sidewalks or pedestrian paths must provide a minimum of five (5) feet clear area for passage of pedestrians.
- G. For multi-tenant commercial buildings, one (1) sign per tenant is permitted with a minimum of twenty (20) feet separation maintained between signs.
- H. No attachments, illumination, banners, balloons, ribbons, flags or moving parts are permitted with the sign.

#### **1280.17 SIGNS PERMITTED IN THE B-2 HIGHWAY BUSINESS DISTRICT**

(a) The following sign regulations are established for uses in the B-2 Highway Business District:

- (1) Area of Signage. The total area of all permanent signs for each use, building, or land under common ownership or control shall not exceed three (3) square feet for each lineal foot of the building wall or facade which faces the principal street or contains the main entrance.

(2) Permanent Signs

A. Freestanding

1. Each building is permitted one pole sign. Such sign shall not exceed sixteen (16) feet in height, and the lowest horizontal projecting feature of the sign shall not be less than eight and one-half (8.5) feet above grade. The pole sign shall not exceed forty (40) square feet in area. Signs shall not be located closer than five (5) feet to a front or side property line.

2. Properties that are at least 100 feet in width and contain a building that is set back at least twenty-five (25) feet from the street right of way line may install a ground sign. Such ground sign shall be set back a minimum of five (5) feet from the street right of way line and shall not exceed eight (8) feet in height. Ground signs shall not exceed forty (40) square feet in area. A ground sign shall be in lieu of a pole sign.

3. Multi-tenant buildings that contain over 40,000 square feet under common ownership and control, having shared parking and access, shall be permitted one (1) permanent free-standing sign, provided that such sign shall not be more than sixty-four (64) square feet in area nor twenty (20) feet in height. Signs shall not be located closer than five (5) feet to a front or side property line.

4. Signs in B-2 Districts may be illuminated only in conformance with



Section 1280.13(d).

B. Wall Signs

1. The maximum sign area for a wall sign shall be two (2) square feet per one (1) linear foot of store front.
2. Buildings with frontage on two or more public streets shall be permitted an additional sign on each secondary frontage provided the sign shall not exceed twenty-five percent (25%) of the area of the sign permitted on the primary frontage. In no case shall the area of the signs exceed the total amount of signage permitted on the site.
3. No more than one (1) wall sign shall be permitted per building frontage or individual tenant space.
4. Wall signs shall be affixed flat to the wall of the building and not project more than one (1) foot.
5. Signs in B-2 Districts may be illuminated only in conformance with Section 1280.13(d).

G. Marquee signs

1. Marquee signs shall not exceed an area equal to twenty-five percent (25%) of the face of the marquee on which the sign is affixed.
2. Marquee signs are subject to the same size regulations for wall signs. Where a marquee and wall sign are used in conjunction with each other, the total square footage of both signs must be added together to determine the total square footage permitted. Such signs shall also conform to the requirements of 1280.17 (a)(2)(B)(1).

H. Blade or Projecting Signs

1. Businesses may have a blade or projecting sign located under a canopy or eave, with a maximum area of ten (10) square feet. The lower edge of such signs must be a minimum of eight feet above any underlying area accessible to pedestrians.
2. Projecting signs may be used in lieu of a pole or ground sign for identification and shall project no more than two (2) feet perpendicular from the wall and not more than three (3) feet vertically above the wall of the building and shall not be more than forty (40) square feet in area.

I. Canopy or Awning Signs

1. Canopy or awning signs are subject to the same size regulations for

wall signs and shall not exceed an area equal to twenty-five percent (25%) of the canopy or awning.

2. If a canopy or awning and wall sign are used in conjunction with each other, the total square footage of both signs must be added together to determine the total square footage permitted. Such signs shall also conform to requirements of 1280.17 (a)(2)(B)(1).

#### J. Directional Signs

1. No more than two (2) permanent free-standing directional signs not exceeding three (3) square feet in area and located not more than three (3) feet above grade shall be permitted at each access drive to the site.

#### (3) Temporary Signs

A. Temporary signs may be displayed for no longer than 30 consecutive days. No more than 4 temporary signs may be displayed in any one year. In multi-tenant buildings or properties with multiple buildings, the property owner shall be a joint applicant for all permits for each temporary sign.

B. Each Building is permitted one temporary wall banner not to exceed thirty-two (32) square feet.

C. Each Building is permitted one temporary free-standing sign not more than thirty-two (32) square feet in area nor six (6) feet in height.

#### (4) Window Signs

A. The total area of all window signs, inclusive of both permanent and temporary, shall not exceed twenty-five (25%) percent of the area of a single window.

B. Illuminated signs, which may include neon, shall not be greater than ten (10%) percent of a single window.

C. For the purposes of this section, a single window shall include the entire area of glass with a separation between the glass panes less than four (4") inches.

#### (5) "A" Frame or Sandwich Board Signs

A. "A" Frame or Sandwich Board signs shall be limited to two (2) feet in width and three (3) feet in height.

B. Businesses are permitted one (1) "A" Frame or Sandwich Board sign which must be located on the property on which the business is located.

C. All "A" Frame or Sandwich Board signs must be removed at the end of

each business day and may only be displayed during the posted hours the business is open.

- D. "A" Frame or Sandwich Board signs shall not be located on the public sidewalk or within the right-of-way.
- E. Such signs shall be located not more than thirty-five (35) feet from the entrance to the business and shall not block sight visibility from a public street or driveway.
- F. Signs located on private sidewalks or pedestrian paths must provide a minimum of five (5) feet clear area for passage of pedestrians.
- G. For multi-tenant commercial buildings one (1) sign per tenant is permitted with a minimum of twenty (20) feet separation maintained between signs.
- H. No attachments, illumination, banners, balloons, ribbons, flags or moving parts are permitted with the sign.

#### **1280.18 SIGNS PERMITTED IN THE C-1 INDUSTRIAL DISTRICT**

(a) The following sign regulations are established for uses in the C-1 Industrial District:

- (1) Signs shall be permitted in the C-1 Industrial District as authorized and approved by the Planning Commission. The Commission shall have sole authority to establish the size, design, character, height, number, style and location of all signage within the C-1 District per Section 1220.02 of the Codified Ordinances. Per Section 1220.02 (b)(11), the Commission may require the applicant to provide a proposed sign standards package for review and approval as part of the approval of development within the C-1 District. The Commission may establish specific sign criteria and standards for each building as it may determine to be appropriate based upon the nature of the development.
- (2) Permits shall be required for signs in the C-1 District. No permit shall be issued without the approval of the Planning Commission.

#### **1280.19 SIGNS PERMITTED IN THE C-2 LIGHT INDUSTRIAL DISTRICT**

(a) The following sign regulations are established for uses in the C-2 Light Industrial District:

(1) Permanent Signs

A. Freestanding

- 1. Each building is permitted one ground sign. Such sign shall not exceed eight (8) feet in height. The ground sign shall not exceed forty

(40) square feet in area. Signs shall not be located closer than five (5) feet to a front or side property line.

2. Multi-tenant buildings that contain over 40,000 square feet under common ownership and control, having shared parking and access, shall be permitted one (1) permanent ground sign, provided that such sign shall not be more than sixty-four (64) square feet in area nor ten (10) feet in height. Signs shall not be located closer than five (5) feet to a front or side property line.

3. Properties that have multiple freestanding buildings on the same parcel and have a shared entrance and exit shall be permitted one ground sign for each building located on such property in conformance with the requirements of this section.

4. Signs in the C-2 District may be illuminated only in conformance with Section 1280.13(d).

#### B. Wall Signs

1. The maximum sign area for a wall sign shall be two (2) square feet per one (1) linear foot of building frontage or individual building space.

2. Buildings with frontage on two or more public streets shall be permitted an additional sign on each secondary frontage provided the sign shall not exceed twenty-five percent (25%) of the area of the sign permitted on the primary frontage. In no case shall the area of the signs exceed the total amount of signage permitted on the site.

3. No more than one (1) wall sign shall be permitted per building frontage or individual tenant space.

4. Wall signs shall be affixed flat to the wall of the building and not project more than one (1) foot.

5. Signs in the C-2 District may be illuminated only in conformance with Section 1280.13(d).

#### C. Other signs

1. Marquee, Blade or Projecting signs shall not be permitted in the C-2 District.

#### D. Canopy or Awning Signs

1. Canopy or awning signs are subject to the same size regulations for wall signs and shall not exceed an area equal to twenty-five percent (25%) of the canopy or awning.

2. If a canopy or awning and wall sign are used in conjunction with

each other, the total square footage of both signs must be added together to determine the total square footage permitted. Such signs shall also conform to requirements of 1280.19 (B)(1).

E. Directional Signs

1. No more than two (2) permanent free-standing directional signs not exceeding three (3) square feet in area and located not more than three (3) feet above grade shall be permitted at each access drive to the site.

(2) Temporary Signs

- A. Temporary signs may be displayed for no longer than 30 consecutive days. No more than 4 temporary signs may be displayed in any one year.
- B. Each building is permitted one temporary wall banner not to exceed thirty-two (32) square feet.
- C. Each building is permitted one temporary free-standing sign not more than thirty-two (32) square feet in area nor six (6) feet in height.

(3) Window Signs

- A. The total area of all window signs, inclusive of both permanent and temporary, shall not exceed twenty-five (25%) percent of the area of a single window.
- B. Illuminated signs, which may include neon, shall not be greater than ten (10%) percent of a single window.
- C. For the purposes of this section, a single window shall include the entire area of glass with a separation between the glass panes less than four (4") inches.

(4) "A" Frame or Sandwich Board Signs

- A. "A" Frame or Sandwich Board signs shall be limited to two (2) feet in width and three (3) feet in height.
- B. Businesses are permitted one (1) "A" Frame or Sandwich Board sign which must be located on the property on which the business is located.
- C. All "A" Frame or Sandwich Board signs must be removed at the end of each business day and may only be displayed during the posted hours the business is open.
- D. "A" Frame or Sandwich Board signs shall not be located on the public sidewalk or within the right-of-way.
- E. Such signs shall be located not more than thirty-five (35) feet from the entrance to the business and shall not block sight visibility from a public street or driveway.

F. Signs located on private sidewalks or pedestrian paths must provide a minimum of five (5) feet clear area for passage of pedestrians.

G. For multi-tenant commercial buildings, one (1) sign per tenant is permitted with a minimum of twenty (20) feet separation maintained between signs.

H. No attachments, illumination, banners, balloons, ribbons, flags or moving parts are permitted with the sign.

#### **1280.20 NONCONFORMING SIGNS.**

- (a) Signs which were legally in existence prior to the effective date of this Chapter, but which do not conform with the provisions hereof, may be maintained as a matter of right provided that such signs comply with the provisions of Part Fourteen of the Building and Housing Code regarding safety, maintenance, and repair.
- (b) Normal maintenance such as painting, cleaning, or minor repairs to the sign face shall be permitted on all such nonconforming signs.
- (c) Relocation or replacement of a nonconforming sign or any alteration in the size or structure of such sign or a change in the mechanical facilities, type of illumination or sign face material, shall cause the sign to lose its status as legally nonconforming and said sign shall be immediately brought into compliance with this Chapter.
- (d) If more than 50% of the sign area is damaged, it shall be repaired to conform to this Chapter.
- (e) If a non-conforming sign ceases to be used for any reason for a continuous period of six (6) months, the non-conforming sign shall be eliminated and the sign shall thereafter be required to comply with the requirements of this Chapter.
- (f) For the purpose of amortization, these signs may be continued from the effective date of this Chapter for a period not to exceed ten (10) years.

#### **1280.99 PENALTY.**

- (a) A person violating this section is guilty of a minor misdemeanor and shall be subject to a fine of not more than one hundred and fifty dollars (\$150.00) per offense. A company or organization convicted of this offense shall be guilty of a minor misdemeanor and be subject to the organizational minor misdemeanor fine threshold set forth in Section 698.04 of not more than one thousand dollars (\$1,000.00) per offense.

VILLAGE OF NORTHFIELD  
RESOLUTION NO. 2019-11

INTRODUCED BY:

A RESOLUTION DIRECTING THE VILLAGE OF NORTHFIELD TO ENTER INTO THE NORTHEAST OHIO REGIONAL SEWER DISTRICT STORMWATER MANAGEMENT PROGRAM COMMUNITY COST SHARE PROGRAM AGREEMENT FOR THE HOUGHTON ROAD RECONSTRUCTION AND STATE ROUTE 8 TRAFFIC SIGNALS IMPROVEMENT PROJECT AND AUTHORIZING MAYOR JESSE J. NEHEZ, CHIEF EXECUTIVE OFFICER TO SUBMIT THE AUTHORIZATION AND TO EXECUTE ALL CONTRACTS WITH THE NORTHEAST OHIO REGIONAL SEWER DISTRICT, AND DECLARING AN EMERGENCY

WHEREAS, the Code of Regulations of the Northeast Ohio Regional Sewer District, Title V – Stormwater Management Code Chapter 9 outlines the Community Cost-Share Program developed to provide funds to Northeast Ohio Regional Sewer District Member Communities for construction, operation and maintenance activities of community-specific stormwater management projects; and

WHEREAS, under the Community Cost-Share Program, 25% of the annual collected stormwater revenue from each Member Community will be held by the Northeast Ohio Regional Sewer District in a Community Cost-Share account, whereby Communities, with review and approval by the Northeast Ohio Regional Sewer District, through specific applications outlining the community specific stormwater work to be performed can access reimbursement of their funds; and

WHEREAS, the Village of Northfield is seeking authority to enter into Regional Stormwater Management Program Community Cost-Share Program Agreement with the Northeast Ohio Regional Sewer District for the purpose of detailing and memorializing responsibilities of the Village of Northfield and the Northeast Ohio Regional Sewer District under specific applications to the Community Cost-Share Program; and

WHEREAS, the Village of Northfield is requesting a maximum of \$127,679.00 of the Village's Cost-Sharing account balance be used for the Village of Northfield's Houghton Road Reconstruction and State Route 8 Traffic Signals Improvement Project stormwater work items;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Northfield, County of Summit, and State of Ohio:

SECTION 1. That the Council of the Village of Northfield finds that for the reasons stated in the preamble hereof it is in the best interests of the Village of Northfield to enter into Regional Stormwater Management Program Cost-Share Program Agreement with the Northeast Ohio Regional Sewer District to memorialize responsibilities of the Village of Northfield and Northeast Ohio Regional Sewer District specific applications to the Community Cost-Share Program.

SECTION 2. That the Village of Northfield is requesting a maximum of \$127,670.00 of the Village's Cost-Sharing account balance be used for funding the stormwater work items for the Village of Northfield's Houghton Road Reconstruction and State Route 8 Traffic Signals Improvement Project.

SECTION 3. That the Council of the Village of Northfield hereby authorizes the Mayor of the Village of Northfield to enter into the Regional Stormwater Management Program Cost-Share Agreement with the Northeast Ohio Regional Sewer District to memorialize responsibilities of the Village of Northfield and the Northeast Ohio Regional Sewer District under specific applications to the Community Cost-Share Program under such terms and conditions that are satisfactory to the Village of Northfield Law Director and in the best interests of the Village of Northfield.

SECTION 4. That the Council of the Village of Northfield authorized the Mayor to execute all documents and do all things necessary to effect the terms and conditions of the Stormwater Management Program Direct Billing Agreements with the Village of Northfield.

SECTION 5. That the Council of the Village of Northfield declares that all formal actions of the Council concerning and relating to the adoption of this resolution and that all deliberations of the Council and any of its committees that resulted in said formal action were conducted in meetings open to the public and in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 6. That this Resolution is hereby declared to be an emergency measure necessary for the public peace, health and welfare of the residents of the Village of Northfield, in order to provide for the Houghton Road Reconstruction and State Route 8 Traffic Signals Improvement Project, and that this resolution shall take immediate effect upon its signature by the Mayor, or upon the expiration of time within which it may be disapproved by the Mayor, or upon passage after its disapproval by the Mayor, as the case may be, pursuant to the Village of Northfield Charter Section 4.11.

IN WITNESS WHEREOF, we have hereunto set our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Nick Magistrelli, President  
Pro-Tem of Council

\_\_\_\_\_  
Jesse J. Nehez, Mayor



RESOLUTION NO. 2019-  
PAGE THREE

PASSED:

ATTEST:

\_\_\_\_\_  
Tricia Ingrassia, Clerk of Council

Approved as to Legal Form by the Director of Law.

\_\_\_\_\_  
Bradric T. Bryan  
Director of Law

I, Tricia Ingrassia, Clerk of Council of the Village of Northfield, Summit County, Ohio, do hereby certify that the foregoing Resolution was duly and regularly passed by Council at a meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Tricia Ingrassia  
Clerk of Council

**COMMUNITY COST-SHARE AGREEMENT  
BY AND BETWEEN  
THE NORTHEAST OHIO REGIONAL SEWER DISTRICT  
AND  
VILLAGE OF NORTHFIELD**

This Agreement is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2019, by and between the Northeast Ohio Regional Sewer District (District) acting pursuant to Resolution No. 114-13, adopted by the Board of Trustees of the District on May 16, 2013 (Exhibit "A"), and the Village of Northfield (Village) acting pursuant to Ordinance/Resolution No. \_\_\_\_\_, adopted on \_\_\_\_\_, 20\_\_\_\_ (Exhibit "B").

**Recitals**

WHEREAS, the District, as a component of implementing a regional stormwater management program, manages a financial account termed the "*Community Cost-Share Account*" that is for the aggregation and dissemination of funds derived from revenues collected from the Stormwater Fee; and

WHEREAS, the purpose of the Community Cost-Share Account is to provide funding to assist the Village with District-approved projects through the Community Cost Share Program; and

WHEREAS, the Community Cost-Share Program funds are used for construction, operation, and maintenance of the Local Stormwater System or Regional Stormwater System, including administrative costs directly associated with such projects as well as costs related to repair or upgrade; and

WHEREAS, the District supports the Community Cost-Share Houghton Road Reconstruction and State Route 8 Traffic Signals Improvement project (the "Project") as a Community Cost-Share project proposed by the Village; and

NOW THEREFORE, in consideration of the foregoing, the payment and the mutual promises contained in this Agreement, the parties agree as follows:

**Article 1.0    Village Obligations**

- 1.1 The Village agrees to perform as follows:
  - 1.1.1 Complete work as detailed in the District approved Community Cost-Share application. (Exhibit "C")
  - 1.1.2 Complete and submit Progress Reports when submitting Request for Payment as needed, or within 30 days of close of the Project, per Section 5.0 of the *Community Cost-Share Program Policy*.

- 1.1.3 Notify the Village's Watershed Team Leader at least 7 business days prior to the start of the Project.
- 1.1.4 Meet with District staff when requested to review the Project status.
- 1.1.5 Obtain all necessary legal agreements with affected property owners to perform the Project and to bind any successor in title to maintain compliance as specified in this Agreement between the District and the Village for the Project.
- 1.1.6 Comply with all applicable local, state and federal requirements. This may include, but is not limited to, U.S. Army Corp of Engineers Section 404, Ohio EPA Section 401 water quality certification, and Ohio Department of Natural Resources Dam Safety Laws.
- 1.1.7 If the Village fails to maintain the Project in accordance with this Agreement, the Village shall be liable for the full amount of any Community Cost-Share Program funds paid for the Project. Such amount shall be offset against the Village's Community Cost-Share Account.
- 1.1.8 Submit requests for approval to modify the budget, deadline, deliverables, or other components of the Project to the Village's Watershed Team Leader at least 30 business days prior to the desired date of execution of the modification.
- 1.1.9 Acknowledge the District on any public advertisement or outreach efforts including all publications and signage related to the Project which shall include the following disclaimer:

*This project was funded in part or totally through the Northeast Ohio Regional Sewer District (NEORSRD) Community Cost-Share Program in coordination with Village, under the provisions of the NEORSRD Regional Stormwater Management Program. The contents and views, including any opinions, findings, or conclusions or recommendations, contained in this publication are those of the authors and have not been subject to NEORSRD review and may not necessarily reflect the views of NEORSRD, and no official endorsement should be inferred.*
- 1.1.10 Provide the District the opportunity to have design approval for any signage or public education and outreach efforts related to the Project.
- 1.1.11 Permit the District to photograph the Project and to incorporate the Project into the District's overall public education and outreach efforts for stormwater management.
- 1.2 Failure to meet any of the requirements listed in Article 1.1 may result in termination of this Agreement and reimbursement of disbursed funds to the District.

**Article 2.0**    **District's Obligations**

2.1    The District agrees to perform as follows:

- 2.1.1    Allocate \$127,679.00 to the Village for the Project from the Village's Community Cost-Share Account.
- 2.1.2    Provide reimbursement of funds up to \$127,679.00 to the Village within 60 days of receipt of a complete Request for Payment from the Village, detailing costs related to the Project.
- 2.1.3    Timely review and approval or disapproval of requests to modify the budget, deadline, deliverables, or other components of the Project.
- 2.1.4    Acknowledge the Village in presentations or publications related to the Project.

**Article 3.0**    **Dispute Resolution**

- 3.1    The Parties shall continue the performance of their obligations under this Agreement notwithstanding the existence of a dispute.
- 3.2    The Parties shall first try to resolve the dispute at the level of the designated representatives as follows:

<b>District Representative</b>	<b>Village Representative</b>
Watershed Team Leader	Village Engineer

If the Parties are unable to resolve the dispute at that level within ten (10) working days, the Parties shall escalate the dispute to the following level to resolve the dispute:

<b>District Representative</b>	<b>Village Representative</b>
Director of Watershed Programs	<i>{Insert Representative(s)}</i>

- 3.3    If the Parties remain unable to resolve the dispute within an additional ten (10) working days, the Parties shall proceed to mediation upon request by either party. The mediator shall review all documents and written statements, in order to accurately and effectively resolve the dispute. The mediator shall call a meeting between the Parties within ten (10) working days after mediator appointment, which meeting shall be attended by at least the respective representatives listed in paragraph 3.02 above. The Parties shall attempt in good faith to resolve the dispute. The Parties agree to follow the Uniform Mediation Act, Chapter 2710 of the Ohio Revised Code. The Parties shall share the cost of the mediator

equally.

- 3.4 Such mediation shall be non-binding between the Parties and, to the extent permitted by law, shall be kept confidential. If the dispute is resolved and settled through the mediation process, the decision will be implemented by a written agreement signed by both Parties. If the dispute is unable to be resolved through mediation, the Parties agree to submit the dispute to the appropriate jurisdiction as per Article 4, Remedies, below.

#### **Article 4**      **Remedies**

- 4.1 The Parties agree that, after exhausting the dispute resolution process outlined above, all claims, counter-claims, disputes and other matters in question between the Parties arising out of or relating to this Agreement, or the breach thereof, will be decided at law. This Agreement shall be governed by and interpreted according to the laws of the State of Ohio.

#### **Article 5**      **Counterpart Signatures**

- 5.1 This Agreement may be executed in counterparts, each of which shall be deemed to be an original, but which counterparts when taken together shall constitute one Agreement.

#### **Article 6**      **Governing Law**

- 6.1 The terms and provisions of this Agreement shall be construed under and governed by the laws of Ohio (to which all Parties hereto consent to venue and jurisdiction).

#### **Article 7**      **Disclaimer of Joint Venture**

- 7.1 This Agreement is not intended to create a joint venture, partnership or agency relationship between the Parties, and such joint venture, partnership, or agency relationship is specifically hereby disclaimed.

#### **Article 8**      **Authority to Execute**

- 8.1 Each person executing this Agreement represents and warrants that it is duly authorized to execute this Agreement by the party on whose behalf it is so executing.

#### **Article 9**      **Exhibits**

The following exhibits are attached hereto and incorporated herein:

Exhibit "A" – District Resolution

Exhibit "B" – Village Ordinance/Resolution

Exhibit "C" – District-Approved Community Cost Share Application

The parties have executed this Agreement on the day and year first above written.

**NORTHEAST OHIO REGIONAL SEWER DISTRICT**

BY: \_\_\_\_\_  
Kyle Dreyfuss-Wells  
Chief Executive Officer

AND

BY: \_\_\_\_\_  
Darnell Brown, President  
Board of Trustees

**VILLAGE OF NORTHFIELD**

By: \_\_\_\_\_

Title: \_\_\_\_\_

The Legal Form and Correctness of this  
Instrument is hereby Approved:

**VILLAGE OF NORTHFIELD**

\_\_\_\_\_  
Assistant/Director of Law

This Instrument Prepared By:  
Katarina K. Waag  
Assistant General Counsel  
Northeast Ohio Regional Sewer District

Each party agrees that this Agreement may be executed and distributed for signatures via email, and that the emailed signatures affixed by both parties to this Agreement shall have the same legal effect as if such signatures were in their originally written format.

[FOR NEORS D USE]

## CONTRACT NO.

NORTHEAST OHIO REGIONAL SEWER  
DISTRICT

WITH

VILLAGE OF NORTHFIELD

FOR

COMMUNITY COST-SHARE PROJECT:

HOUGHTON ROAD RECONSTRUCTION AND  
STATE ROUTE 8 TRAFFIC SIGNALS  
IMPROVEMENT PROJECT

---

Total Approximate Cost:           \$127,679.00

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The legal form and correctness of the within  
instrument are hereby approved.

---

CHIEF LEGAL OFFICER

---

Date

## CERTIFICATION

It is hereby certified that the amount required to  
meet the contract, agreement, obligation, payment  
or expenditure, for the above, has been lawfully  
appropriated or authorized or directed for such  
purpose and is in the Treasury or in process of  
collection to the credit of the fund free from any  
obligation or certification now outstanding.

---

CHIEF FINANCIAL OFFICER

---

Date

**VILLAGE OF NORTHFIELD RESOLUTION NO. 2019-12**  
**AN EMERGENCY RESOLUTION SETTING FORTH THE APPROPRIATIONS FOR THE**  
**FISCAL YEAR 2019 AND SUBMITTING THE SAME TO THE COUNTY FISCAL OFFICER**

WHEREAS, at the direction of the Mayor and Council, Tricia Ingrassia, the Director of Finance, has prepared the Appropriation Resolution for the Village of Northfield, Ohio for the fiscal year 2019 showing all expenditures and charges in or for the purposes of such fiscal year to be paid; and

WHEREAS, a copy of said appropriations are attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Northfield, County of Summit, and State of Ohio:

SECTION 1. That the attached appropriations of the Village of Northfield, as prepared by Tricia Ingrassia, the Director of Finance, for the Fiscal Year 2019 are hereby adopted as the official Appropriation Resolution of the Village of Northfield, Ohio, for the year 2019.

SECTION 2. That the Director of Finance is hereby authorized and directed to certify a copy of said Appropriation Resolution to the Fiscal Officer of Summit County, Ohio as required by law.

SECTION 3. That all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council or any of its legal committees and were in compliance with all legal requirements.

SECTION 4. That this Resolution is hereby declared to be an emergency measure necessary for the public peace, health, and welfare of the residents of the Village of Northfield for the reason that it is necessary for the operation of the Village government and is required by law, and that this Resolution shall take immediate effect upon its signature by the Mayor, or upon the expiration of time within which it may be disapproved by the Mayor, or upon its passage after its disapproval by the Mayor, as the case may be, pursuant to Village of Northfield Charter Section 4.11.

IN WITNESS WHEREOF, we have hereunto set our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Nicholas Magistrelli, Pres. Pro-Tem of Council

\_\_\_\_\_  
Jesse J. Nehez, Mayor

Approved as to Legal Form.

\_\_\_\_\_  
Bradric T. Bryan, Director of Law

I, Tricia Ingrassia, Clerk of Council of the Village of Northfield, Summit County, Ohio, do hereby certify that the foregoing Resolution was duly and regularly passed by Council at a meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Tricia Ingrassia, Clerk of Council



Village of Northfield  
2019 Appropriations

	Personal Service	Other Operations	Capital	Non- Governmental	Total
<b>GENERAL FUND</b>					
Police Department	\$ 1,134,296.24	\$ 212,272.80	\$ 111,000.00	\$ -	\$ 1,457,569.04
Street Lighting	\$ 16,000.00	\$ -	\$ -	\$ -	\$ 16,000.00
Traffic Signs, Signals, Mark	\$ 3,000.00	\$ -	\$ -	\$ -	\$ 3,000.00
Cemetery	\$ -	\$ 10,000.00	\$ -	\$ -	\$ 10,000.00
County Health	\$ 25,000.00	\$ -	\$ -	\$ -	\$ 25,000.00
Service Department	\$ 600,000.00	\$ 200,000.00	\$ 50,000.00	\$ -	\$ 850,000.00
Mayor	\$ 72,000.00	\$ -	\$ -	\$ -	\$ 72,000.00
Council	\$ 36,600.00	\$ -	\$ -	\$ -	\$ 36,600.00
Mayor's Court	\$ 59,000.00	\$ 1,000.00	\$ -	\$ -	\$ 60,000.00
Finance Department	\$ 99,383.00	\$ 6,200.00	\$ 5,000.00	\$ -	\$ 110,583.00
Law Department	\$ 33,750.00	\$ 90,000.00	\$ -	\$ -	\$ 123,750.00
Engineer	\$ -	\$ 50,000.00	\$ -	\$ -	\$ 50,000.00
General Government	\$ -	\$ 430,000.00	\$ -	\$ -	\$ 430,000.00
Contributions	\$ 953,000.00	\$ -	\$ -	\$ -	\$ 953,000.00
County Auditor Deductions	\$ -	\$ 81,800.00	\$ -	\$ -	\$ 81,800.00
Land & Building	\$ -	\$ 11,000.00	\$ 50,000.00	\$ -	\$ 61,000.00
S/T - GENERAL FUND	\$ 3,032,029.24	\$ 1,092,272.80	\$ 216,000.00	\$ -	\$ 4,340,302.04
Transfers/Advance/Conting.	\$ -	\$ -	\$ -	\$ 775,000.00	\$ 775,000.00
<b>GENERAL FUND TOTAL</b>	<b>\$ 3,032,029.24</b>	<b>\$ 1,092,272.80</b>	<b>\$ 216,000.00</b>	<b>\$ 775,000.00</b>	<b>\$ 5,115,302.04</b>
<b>OTHER FUNDS:</b>					
SCM&R	\$ -	\$ 500,000.00	\$ -	\$ -	\$ 500,000.00
State Highway	\$ -	\$ 11,000.00	\$ -	\$ -	\$ 11,000.00
Permissive Tax	\$ -	\$ -	\$ -	\$ -	\$ -
Police Pension	\$ 200,000.00	\$ -	\$ -	\$ -	\$ 200,000.00
Fire Levy Fund	\$ 783,000.00	\$ 208,000.00	\$ 288,000.00	\$ -	\$ 1,279,000.00
Law Enforcement Trust	\$ -	\$ -	\$ -	\$ -	\$ -
Law Enforcement Assist	\$ -	\$ -	\$ -	\$ -	\$ -
Court Computer	\$ -	\$ 11,000.00	\$ -	\$ -	\$ 11,000.00
Northfield Park TIE	\$ -	\$ 988,000.00	\$ 1,528,800.00	\$ -	\$ 2,516,800.00
Ledge Rd Improvement	\$ -	\$ -	\$ -	\$ -	\$ -
Sewer Fund	\$ 100,000.00	\$ 150,000.00	\$ -	\$ -	\$ 250,000.00
Unclaimed Funds	\$ -	\$ -	\$ -	\$ -	\$ -
Refundable Performance Bonds	\$ -	\$ -	\$ -	\$ -	\$ -
<b>TOTAL - ALL FUNDS</b>	<b>\$ 4,115,029.24</b>	<b>\$ 2,960,272.80</b>	<b>\$ 2,032,800.00</b>	<b>\$ 775,000.00</b>	<b>\$ 9,883,102.04</b>

\*This is a draft, not the final proposal for the 2019 Appropriations as the Buildings and Grounds and Roads and Public Works Committees have not met with the Finance Director.